

## Message Text

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ACTION L-03

INFO OCT-01 ARA-10 ISO-00 CIAE-00 INR-07 NSAE-00 SS-15

NSCE-00 SAB-02 SSO-00 INRE-00 /038 W

-----125094 091755Z /43

O R 091706Z DEC 77

FM AMEMBASSY BOGOTA

TO SECSTATE WASHDC IMMEDIATE 5122

INFO AMEMBASSY PANAMA

C O N F I D E N T I A L BOGOTA 11429

E.O. 11652: GDS

TAGS: PBOR, PN, CO

SUBJ: EFFECT OF PANAMA CANAL TREATIES ON 1914 THOMPSON-  
URRUTIA TREATY

REF: A) BOGOTA 10963; B) COX-JOHNSTON TELECON 12-7-77

1. LIEUTENANT COLONEL JULIO LONDONO, CHIEF OF FRONTIER DIVISION,  
FOREIGN MINISTRY, PHONED POL COUNSELOR DECEMBER 7 AND PROPOSED  
AN EXCHANGE OF NOTES ON SUBJECT ALONG THE FOLLOWING LINES:

(A) U.S. NOTE WOULD STATE THAT USG VIEW WAS THAT PAR 3 OF  
MARCH 24, 1975 DECLARATION OF PANAMA (IN WHICH COLOMBIA  
RENOUNCED ITS RIGHTS GRANTED BY THE THOMPSON-URRUTIA TREATY)  
WOULD ONLY TAKE EFFECT WHEN THE EXCHANGE OF RATIFICATIONS OF  
BOTH CANAL TREATIES TOOK PLACE AND AFTER DECEMBER 31, 1999.

(B) MEANWHILE, U.S. WOULD CONTINUE TO GUARANTEE COLOMBIA'S CANAL  
TRANSIT RIGHTS PRESENTLY GUARANTEED UNDER THE THOMPSON-URRUTIA  
TREATY TO COLOMBIAN TROOPS, VESSELS AND WAR MATERIALS AS WELL AS  
TO THE PRODUCTS OF COLOMBIAN SOIL AND INDUSTRY. (C) IN THE  
EVENT THAT THE U.S. MANAGES THE PANAMA RAILWAY, THE U.S. WILL  
PROVIDE THE KIND OF ACCESS VIA THE RAILWAY WHICH IS GUARANTEED  
UNDER THE THOMPSON-URRUTIA TREATY, FOR THE PERSONS AND MATERIALS  
MENTIONED IN PAR 1 B, SHOULD TRAVEL THROUGH THE CANAL BE INTER-  
RUPTED. (D) ANY CHANGES OR MODIFICATIONS IN THE CANAL WILL NOT  
AFFECT COLOMBIA'S RIGHTS UNDER THE THOMPSON-URRUTIA TREATY.

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2. THE GOC NOTE IN REPLY WOULD CONFIRM GOC'S UNDERSTANDING OF  
THE POINTS IN THE U.S. NOTE.

3. LONDONO MADE CLEAR DURING HIS PRESENTATION THAT HIS PROPOSAL  
WAS INFORMAL AND TENTATIVE, AND THAT HE WISHED AN EXCHANGE OF  
VIEWS ON THE MATTER. POL COUNSELOR WAS NONCOMMITAL AND SIMPLY

TOOK NOTE OF LONDOND'S SUGGESTIONS. IN A CONVERSATION EARLIER ON DECEMBER 7, FOREIGN MINISTER LIEVANO TOLD THE AMBASSADOR THAT LONDONO WOULD BE CONTACTING POL COUNSELOR ON SUBJECT AND EXPRESSED STRONG DESIRE TO CONCLUDE SUCH AN EXCHANGE SHORTLY.

4. REQUEST INSTRUCTIONS.

5. COMMENT. PRESIDENT LOPEZ HAS COME UNDER CRITICISM RECENTLY FROM THE OPPOSITION FACTION OF THE CONSERVATIVE PARTY, WHICH CLAIMS THAT IN THE 1975 DECLARATION OF PANAMA, LOPEZ RENOUNCED COLOMBIA'S RIGHTS UNDER THE THOMPSON-URRUTIA TREATY EVEN DURING THE LIFE OF THE PANAMA CANAL TREATIES. A DIPLOMATIC NOTE FROM THE U.S. ALONG THE LINES DESCRIBED BY LONDONO WOULD PROTECT LOPEZ FROM SUCH CRITICISM AND MAY BE THE REASON WHY THE GOC DESIRES SUCH A STATEMENT  
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**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009